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Attorneys for Plaintiff PANOPTX, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PANOPTX, INC., a California corporation,

Plaintiff,

v.

PROTECTIVE OPTICS, INC., a California corporation,

Defendant.

Case No.: 3:06-cv-07610 MHP

**STIPULATION ACKNOWLEDGING
SERVICE AND EXTENDING DEADLINE
FOR DEFENDANT PROTECTIVE
OPTICS TO RESPOND TO COMPLAINT**

**Dept: Courtroom 15, 18th Floor
Judge: Hon. Marilyn Hall Patel**

Pursuant to Civil Local Rules 6-1, plaintiff Panoptx, Inc. ("Panoptx") and defendant Protective Optics, Inc. ("Protective Optics") (collectively, the "Parties") hereby stipulate as follows:

WHEREAS on December 12, 2006, plaintiff filed the Complaint in this action;

WHEREAS, on January 3, 2007, counsel for plaintiff and counsel for defendant spoke by telephone regarding service of the Complaint;

WHEREAS defendant's counsel agreed to accept service of the Complaint on behalf of defendant, and plaintiff's counsel agreed to extend the time for defendant to respond to the Complaint until February 2, 2007;

WHEREAS the proposed extension of time will not alter the date of any deadline or event fixed by Court order; and

1 WHEREAS on January 3, 2007, plaintiff's counsel served a copy of the Complaint on
2 defendant's counsel by Federal Express;

3 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the Parties as follows:

- 4 1. Protective Optics accepts service of the Complaint by overnight mail; and
5 2. The deadline for Protective Optics to respond to the Complaint is extended to
6 February 2, 2007.

7
8 Dated: January 3, 2007

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

9
10 By: _____ /s/

11 Michael D. Lisi
12 Attorneys for Plaintiff PANOPTX, INC.

13
14 Dated: January 3, 2007

GREENBERG TRAURIG LLP

15
16 By: _____

17 E. Patrick Ellisen
18 Attorneys for Defendant,
19 PROTECTIVE OPTICS, INC.

20
21 Dated: 1/8/07

